

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN GILES,

Plaintiff,

vs.

CITY OF LINCOLN, in their individual
and official capacities.; TOM CASADY,
in their individual and official
capacities.; TIM LINKE, in their
individual and official capacities.; ERIC
JONES, in their individual and official
capacities.; and PATRICK BORER, in
their individual and official capacities.;

Defendants.

4:17CV3050

ORDER

IT IS ORDERED:

1) Plaintiff's motion to stay, (Filing No. 76), pending a ruling on Plaintiff's objections to my prior order, (Filing No. 75), is denied.

2) The parties' joint stipulation, (Filing No. 78), is approved (as modified to reflect changes in the trial and pretrial conference settings in Hurd), and as to the initial phase, the case will progress as follows:

a. As to the over 11,000 emails (1,846 emails for Giles, 6,023 emails for Linke, and 3,592 emails for Jones) found by the City as required under the court's order, (Filing No. 75, at CM/ECF p. 7, ¶ 3), Defendants' counsel shall review the emails for attorney-client privilege, work product, and relevance and,

- i. As to Giles' emails, produce the emails on or before November 21, 2018; and
- ii. As to Jones' and Linke's emails, produce the emails on or before December 21, 2018.
- b. Depositions may begin after all emails have been produced as required under paragraph 2(a) of this order.
- c. The deposition deadline is March 1, 2019.
- d. The discovery deadline is March 15, 2019.
- e. The deadline for filing a motion for summary judgment on whether a causal link exists between Plaintiff's alleged protected activity and the alleged adverse employment actions and/or §1985 injuries is April 1, 2019.
- f. On or before December 21, 2018, Plaintiff may subpoena the Verizon records for the cell phones of Linke and Jones for 2015. Such subpoenas shall be at Plaintiff's expense, with a copy of all documents obtained promptly provided to Defendants' counsel.

Dated this 23rd day of October, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge